EXHIBIT 22



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TO ALL TO WHOM THESE; PRESENTS SHALL, COMES

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

March 12, 2018

THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE RECORDS OF THIS OFFICE OF THE TRADEMARK FILE WRAPPER AND CONTENTS OF:

TRADEMARK APPLICATION: 87/031,669

FILING DATE: May 10, 2016

7671135

REGISTRATION NUMBER: 5,292,150 REGISTRATION DATE: September 19, 2017

By Authority of the

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

P. SWAIN

Certifying Officer

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2018)

Trademark/Service Mark Application, Principal Register TEAS Plus Application

Serial Number: 87031669 Filing Date: 05/10/2016

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

| Input Field | Entered | | |
|--|--|--|--|
| TEAS Plus | YES | | |
| MARK INFORMATION | | | |
| *MARK | ARCTIC ICE | | |
| *STANDARD CHARACTERS | YES | | |
| USPTO-GENERATED IMAGE | YES | | |
| LITERAL ELEMENT | ARCTIC ICE | | |
| *MARK STATEMENT | The mark consists of standard characters, without claim to any particular font, style, size, or color. | | |
| REGISTER | | | |
| APPLICANT INFORMATION | | | |
| *OWNER OF MARK | Castle Hill Holding LLC | | |
| *STREET | 1807 Seminole Trail, Suite 204 | | |
| *CITY | Charlottesville | | |
| *STATE (Required for U.S. applicants) | Virginia | | |
| *COUNTRY | United States | | |
| *ZIP/POSTAL CODE (Required for U.S. applicants) | 22901 | | |

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 4 of 30

| *TYPE | LIMITED LIABILITY COMPANY | | | |
|---|--|--|--|--|
| * STATE/COUNTRY WHERE LEGALLY ORGANIZED | Delaware | | | |
| GOODS AND/OR SERVICES AND BASIS INFORMATION | | | | |
| *INTERNATIONAL CLASS | 028 | | | |
| *IDENTIFICATION | Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines featuring a device that accepts wagers; Gaming machines for gambling; Gaming machines or video lottery terminals; Gaming machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely, slot machines and video lottery terminals; Gaming machines, namely, devices which accept a wager; Gaming machines, namely, electronic slot and bingo machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines featuring a device that accepts wagers; Gaming machines, namely, devices which accept a wager; Machines for playing games of chance; Electronic gaming machines, namely, devices which accept a wager; Gambling machines; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational game software therefor sold as a unit; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Slot machines; Stand alone video output game | | | |

| | machines | | | |
|---|---|--|--|--|
| *FILING BASIS | SECTION 1(b) | | | |
| *INTERNATIONAL CLASS | 041 | | | |
| *IDENTIFICATION | Casinos; Conducting and providing facilities for casino gaming contests and tournaments; Entertainment services, namely, casino gaming; Entertainment services, namely, providing online electronic games; Gaming services in the nature of casino gaming; Leasing of casino games; Providing online non-downloadable game software | | | |
| *FILING BASIS | SECTION 1(b) | | | |
| ADDITIONAL STATEMENTS INFORMA | ATION | | | |
| *TRANSLATION (if applicable) | | | | |
| *TRANSLITERATION (if applicable) | | | | |
| *CLAIMED PRIOR REGISTRATION (if applicable) | | | | |
| *CONSENT (NAME/LIKENESS) (if applicable) | | | | |
| *CONCURRENT USE CLAIM (if applicable) | | | | |
| ATTORNEY INFORMATION | | | | |
| NAME | Melinda B. Buurma | | | |
| ATTORNEY DOCKET NUMBER | 68475-112 | | | |
| FIRM NAME | Howard & Howard Attorneys PLLC | | | |
| STREET | 450 West Fourth Street | | | |
| CITY | Royal Oak | | | |
| STATE | Michigan | | | |
| COUNTRY | United States | | | |
| ZIP/POSTAL CODE | 48067 | | | |
| PHONE | 2486451483 | | | |
| EMAIL ADDRESS | IPDocket@h2law.com | | | |
| AUTHORIZED TO COMMUNICATE VIA EMAIL | Yes | | | |
| | | | | |

| *NAME | Melinda B. Buurma | | |
|---------------------------------------|-----------------------------------|--|--|
| FIRM NAME | Howard & Howard Attorneys PLLC | | |
| *STREET | 450 West Fourth Street Royal Oak | | |
| CITY | | | |
| STATE Required for U.S. addresses) | Michigan | | |
| COUNTRY | United States | | |
| ZIP/POSTAL CODE | 48067 | | |
| PHONE | 2486451483 | | |
| EMAIL ADDRESS | IPDocket@h2law.com | | |
| AUTHORIZED TO COMMUNICATE VIA | Yes | | |
| EE INFORMATION | | | |
| APPLICATION FILING OPTION | TEAS Plus | | |
| TUMBER OF CLASSES | 2 | | |
| TEE PER CLASS | 225 | | |
| TOTAL FEE PAID | 450 | | |
| SIGNATURE INFORMATION | | | |
| SIGNATURE | /Melinda B. Buurma/ | | |
| SIGNATORY'S NAME | Melinda B. Buurma | | |
| SIGNATORY'S POSITION | Attorney of record, MI bar member | | |
| IGNATORY'S PHONE NUMBER | 2486451483 | | |
| DATE SIGNED | 05/10/2016 | | |

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 7 of 30

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2018)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 87031669 Filing Date: 05/10/2016

To the Commissioner for Trademarks:

MARK: ARCTIC ICE (Standard Characters, see <u>mark</u>)
The literal element of the mark consists of ARCTIC ICE.
The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Castle Hill Holding LLC, a limited liability company legally organized under the laws of Delaware, having an address of

1807 Seminole Trail, Suite 204 Charlottesville, Virginia 22901 United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 028: Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines; Gaming machines featuring a device that accepts wagers; Gaming machines for gambling; Gaming machines for gambling including slot machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely slot machines and video lottery terminals; Gaming machines, namely, devices which accept a wager; Gaming machines, namely, electronic slot and bingo machines; Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines featuring a device that accepts wagers; Gaming machines, namely, devices which accept a wager; Machines for playing games of chance; Electronic gaming machines, namely, devices which accept a wager; Gambling machines; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Slot machines; Stand alone video output game machines Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or

in connection with the identified goods/services. (15 U.S.C. Section 1051(b)).

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 041: Casinos; Conducting and providing facilities for casino gaming contests and tournaments; Entertainment services, namely, casino gaming; Entertainment services, namely, providing online electronic games; Gaming services in the nature of casino gaming; Leasing of casino games; Providing online non-downloadable game software

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Melinda B. Buurma and Melinda B. Buurma of Howard & Howard Attorneys PLLC 450 West Fourth Street

Royal Oak, Michigan 48067

United States

2486451483(phone)

IPDocket@h2law.com (authorized)

The attorney docket/reference number is 68475-112.

The applicant's current Correspondence Information:

Melinda B. Buurma

Howard & Howard Attorneys PLLC

450 West Fourth Street

Royal Oak, Michigan 48067

2486451483(phone)

IPDocket@h2law.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$450 has been submitted with the application, representing payment for 2 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. § 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant is using the mark in commerce on or in connection with the goods/services in the application; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e), the applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the

goods/services of such other persons, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Melinda B. Buurma/ Date Signed: 05/10/2016

Signatory's Name: Melinda B. Buurma

Signatory's Position: Attorney of record, MI bar member

RAM Sale Number: 87031669 RAM Accounting Date: 05/11/2016

Serial Number: 87031669

Internet Transmission Date: Tue May 10 17:02:48 EDT 2016 TEAS Stamp: USPTO/FTK-207.174.246.19-201605101702485

15755-87031669-550f787f0696110d9ed9ce550 bd4a16166d5fd26a6721737436893d952df7c4fb 13-DA-3869-20160510162845765259

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 10 of 30

ARCTIC ICE

*** User:khardley ***

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|----------|----|------------------|-------|--------|---------------|----------|---|
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| (| 02 | 652 | N/A | 0 | 0 | 0:02 | *R {"ckqx"}t{"iey"} {"ckqx"}*[bi,ti] not dead[ld] |
| (| 03 | 65604 | N/A | 0 | 0 | 0:03 | *{"IY"}{"scz"}e*[bi,ti] not dead[ld] |
| (| 04 | 85671 | N/A | 0 | 0 | 0:03 | *{"IEY"} {"scz"}e*[bi,ti] not dead[ld] |
| (| 05 | 41 | 0 | 41 | 37 | 0:01 | 2 and 4 |
| (| 06 | 179 | 0 | 179 | 162 | 0:02 | 2 and "009"[cc] |
| (| 07 | 239 | 0 | 239 | 214 | 0:01 | 2 and "028"[cc] |
| (| 80 | 106 | 0 | 106 | 98 | 0:01 | 2 and "041"[cc] |
| (| 09 | 40588 | N/A | 0 | 0 | 0:02 | *ice*[bi,ti] not dead[ld] |
| Œ | 10 | 3125 | N/A | 0 | 0 | 0:01 | "ice"[bi,ti] not dead[ld] |
| 19 | 11 | 980 | N/A | 0 | 0 | 0:01 | 10 and "009"[cc] |
| 8 | 12 | 235 | 0 | 235 | 221 | 0:02 | 10 and "009"[ic] |
| : 4 | 13 | 1003 | N/A | 0 | 0 | 0:02 | 10 and "028"[cc] |
| () | 14 | 98 | 0 | 98 | 95 | 0:01 | 10 and "028"[ic] |
| į | 15 | 921 | N/A | 0 | 0 | 0:02 | 10 and "041"[cc] |
| 9.4 2 | 16 | 218 | 0 | 218 | 202 | 0:01 | 10 and "041"[ic] |
| 3 | 17 | 4 | 0 | 4 | 4 | 0:01 | 10 and (a b 200)[ic] |
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Session started 8/29/2016 10:44:49 AM
Session finished 8/29/2016 11:21:31 AM
Total search duration 0 minutes 27 seconds
Session duration 36 minutes 42 seconds
Defaut NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 87031669

NOTE TO THE FILE

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 12 of 30

| SERIAL NUMBER: | 87031669 | | | | |
|---|-----------------------------------|---|--|--|--|
| DATE: 08/30/2016 | | | | | |
| NAME: | khardley | | | | |
| NOTE: | | | | | |
| Searched:GoogleLexis/NexisOneLookWikipediaAcronym Finder Other: | | Discussed ID with: X Senior Atty Managing Atty Protest evidence reviewed | | | |
| Checked: Geographic signific Surname Translation ID with ID/CLASS made. Checked list of approved 6 | ailbox | Discussed Geo. Sig. with: Senior Atty Managing Atty ys and agents | | | |
| Discussed file with Attorney/Applicant via: phone email Requested Law Librator: | | Left message with Attorney/Applicant X Issued Examiner's Amendment and entered changes in TRADEUPS | | | |
| PRINT DO Description of the Translation statemed Negative translation Consent of living : Changed TRADEUPS to | ent on statement individual | Added design code in TRADEUPS Re-imaged standard character drawing Contacted TM MADRID ID/CLASS about misclassified definite ID | | | |

Copy provided by USPTO from the TICRS Image Database on 03-09-2018

OTHER:

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 13 of 30

To:

Castle Hill Holding LLC (IPDocket@h2law.com)

Subject:

U.S. TRADEMARK APPLICATION NO. 87031669 - ARCTIC ICE - 68475-112

Sent:

9/1/2016 8:58:37 AM

Sent As:

ECOM112@USPTO.GOV

Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 87031669

MARK: ARCTIC ICE

87031669

VIEW YOUR APPLICATION FILE

CORRESPONDENT ADDRESS:
MELINDA B. BUURMA
HOWARD & HOWARD ATTORNEYS PLLC
450 WEST FOURTH STREET

GENERAL TRADEMARK INFORMATION: http://www.uspto.gov/trademarks/index.jsp

ROYAL OAK, MI 48067

APPLICANT: Castle Hill Holding LLC

CORRESPONDENT'S REFERENCE/DOCKET NO: 68475-112
CORRESPONDENT E-MAIL ADDRESS:
IPDocket@h2law.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 9/1/2016

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: The trademark examining attorney is amending the application as follows. No prior approval or authorization from applicant or applicant's attorney is required. TMEP §707.02.

IDENTIFICATION OF GOODS:

The identification of goods in International Class 028 included duplicate entries of the wording: "gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output," "gaming equipment, namely, slot machines with or without video output," "gaming machines featuring a device that accepts wagers," "gaming machines, namely, devices which accept a wager," "reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit," "reconfigurable casino gaming machines and operational game software therefor sold as a unit."

The identification of goods and services is amended to read as follows:

International Class 028: "Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines; Gaming machines for gambling; Gaming machines for gambling including slot machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely, slot machines and video lottery terminals; Gaming machines, namely, electronic slot and bingo machines; Gaming machines, namely, devices which accept a wager; Machines for playing games of chance; Electronic gaming machines, namely, devices which accept a wager; Gambling machines; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Slot machines; Stand alone video output game machines"

International Class 041: "Casinos; Conducting and providing facilities for casino gaming contests and tournaments;

Entertainment services, namely, casino gaming; Entertainment services, namely, providing online electronic games; Gaming services in the nature of casino gaming; Leasing of casino games; Providing online non-downloadable game software"

See TMEP §§1402.01, 1402.01(e).

After an examiner's amendment issues, the trademark examining attorney will usually approve the mark for publication in the <u>Trademark Official Gazette</u>, a weekly online publication of the USPTO. The USPTO will then send a "Notice of Publication" to the applicant specifying the date of publication.

The purpose of publishing applicant's mark in the <u>Trademark Official Gazette</u> is to provide an opportunity to third parties who believe they may be damaged by registration of applicant's mark to oppose its registration within thirty (30) days from the publication date. An "opposition" is similar to a federal court proceeding, but this proceeding is held before the Trademark Trial and Appeal Board, a USPTO administrative tribunal of administrative judges who issue decisions on such matters. If an opposition proceeding is instituted to oppose registration of applicant's mark, applicant will receive notice. In such cases, due to the complexity of such matters, applicant may wish to hire an attorney.

If the mark is published based upon the actual use of the mark in commerce, or based on a foreign registration, and no party opposes its registration, the USPTO will normally register the mark and issue a registration certificate within approximately twelve (12) weeks after the date the mark was published.

If the mark is published based upon the applicant's bona fide intention to use the mark in commerce, and no party opposes its registration, the USPTO will issue a "Notice of Allowance" within approximately eight (8) weeks after the date the mark was published. Applicant then has six (6) months from the date of the Notice of Allowance to timely file a "Statement of Use" or to file a request for a six-month "Extension of Time to file a Statement of Use" (extension request). Extension requests are granted in six-month increments and a maximum of five extension requests can be filed after the issuance of the Notice of Allowance. If a Statement of Use is not filed within the six months after the Notice of Allowance issued, a Statement of Use must be filed within the time period of a previously granted extension request. The USPTO will only issue a registration certificate after the trademark examining attorney approves a Statement of Use.

For an overview of the time frames for when an applicant should file and the USPTO will issue documents related to a trademark application, see <u>Trademark Application and Post-Registration Process Timelines</u>. Forms for Statements of Use and extension requests, and additional requirements for intent to use applications, are available online at <u>Intent to Use (ITU) Forms</u>.

/Keisha M. Hardley/ Law Office 112 571-272-6945 Keisha.Hardley@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at http://tsdr.uspto.gov/. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see http://www.uspto.gov/trademarks/process/status/.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the Trademark Electronic Application System (TEAS) form at http://www.uspto.gov/trademarks/teas/correspondence.jsp.

To: Castle Hill Holding LLC (IPDocket@h2law.com)

U.S. TRADEMARK APPLICATION NO. 87031669 - ARCTIC ICE - 68475-112

Subject: U.S. TRADEMARK APPLICATION NO. 87031669 - ARCTIC ICE -

68475-112

Sent: 9/1/2016 8:58:38 AM

Sent As: ECOM112@USPTO.GOV

Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED ON 9/1/2016 FOR U.S. APPLICATION SERIAL NO.87031669

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this <u>link</u> or go to <u>http://tsdr.uspto.gov/</u>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For technical assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies not associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation-warnings.jsp.

From:

TMOfficialNotices@USPTO.GOV

Sent:

Wednesday, September 28, 2016 04:10 AM

To:

IPDocket@h2law.com

Subject:

Official USPTO Notification of Notice of Publication: U.S. Trademark SN 87031669: ARCTIC ICE:

Docket/Reference No. 68475-112

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 87031669) is scheduled to publish in the Official Gazette on Oct 18, 2016. To preview the Notice of Publication, go to http://tdr.uspto.gov/search.action?sn=87031669. If you have difficulty accessing the Notice of Publication, contact TDR@uspto.gov.

PLEASE NOTE:

- 1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
- 2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the Official Gazette in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact TMPostPubQuery@uspto.gov.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks P.O. Box 1451 Alexandria, VA 22313-1451 www.uspto.gov

Sep 28, 2016

NOTICE OF PUBLICATION

 Serial No.: 87-031,669

2. Mark:
ARCTIC ICE
(STANDARD CHARACTER MARK)

3. International Class(es): 28, 41

4. Publication Date: Oct 18, 2016

5. Applicant: Castle Hill Holding LLC

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents U.S. Government Printing Office PO Box 371954
Pittsburgh, PA 15250-7954
Phone: 202-512-1800

By direction of the Commissioner.

Email Address(es):

IPDocket@h2law.com

From:

TMOfficialNotices@USPTO.GOV Tuesday, October 18, 2016 00:54 AM

Sent: To:

IPDocket@h2law.com

Subject:

Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 87031669: ARCTIC ICE:

Docket/Reference No. 68475-112

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 87031669

Mark: ARCTIC ICE
International Class(es): 028, 041

Owner: Castle Hill Holding LLC

Docket/Reference Number: 68475-112

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Oct 18, 2016.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: https://tmog.uspto.gov/#issueDate=2016-10-18 18&serialNumber=87031669

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to TMPostPubQuery@uspto.gov. For applicant corrections or amendments after publication, please file a post publication amendment using the form available at http://teasroa.uspto.gov/ppa/. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

* Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a complete Statement of Use or Extension Request with the required fees within six (6) months after the NOA issues to avoid abandonment of the application.)

To check the status of the application, go to http://tsdr.uspto.gov/#caseNumber=87031669&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tsdr.uspto.gov/#caseNumber=87031669&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

Page 1 of 2

From:

TMOfficialNotices@USPTO.GOV Tuesday, December 13, 2016 00:12 AM

Sent: To:

IPDocket@h2law.com

Subject:

Official USPTO Notice of Allowance: U.S. Trademark SN 87031669: ARCTIC ICE: Docket/Reference No.

68475-112

NOTICE OF ALLOWANCE (NOA)

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 19

ISSUE DATE: Dec 13, 2016

Serial Number: 87031669 Mark: ARCTIC ICE

Docket/Reference Number: 68475-112

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.

SIX (6)-MONTH DEADLINE: Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); OR
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. WARNING: An SOU may not be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.

How to file SOU and/or Extension Request:

Use the Trademark Electronic Application System (TEAS). Do NOT reply to this e-mail, as e-mailed filings will NOT be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at http://www.uspto.gov/teas/index.html (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see http://www.uspto.gov/trademarks/basics/MoreInfo SOU EXT.jsp.

FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.

REVIEW APPLICATION INFORMATION FOR ACCURACY

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at http://www.uspto.gov/teas/index.html. Do NOT reply to this e-mail, as e-mailed filings will NOT be processed.

Serial Number:

87031669 ARCTIC ICE

Docket/Reference Number:

68475-112

Owner.

Mark:

Castle Hill Holding LLC

1807 Seminole Trail, Suite 204 Charlottesville, VIRGINIA 22901

Correspondence Address:

MELINDA B. BUURMA

HOWARD & HOWARD ATTORNEYS PLLC

450 W 4TH ST

ROYAL OAK, MI 48067-2557

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

GOODS/SERVICES BY INTERNATIONAL CLASS

- Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines; Gaming machines featuring a device that accepts wagers; Gaming machines for gambling; Gaming machines for gambling including slot machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely, slot machines and video lottery terminals; Gaming machines, namely, electronic slot and bingo machines; Gaming machines, namely, devices which accept a wager; Machines for playing games of chance; Electronic gaming machines, namely, devices which accept a wager; Gambling machines; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Slot machines; Stand alone video output game machines -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- O41 Casinos; Conducting and providing facilities for casino gaming contests and tournaments; Entertainment services, namely, casino gaming; Entertainment services, namely, providing online electronic games; Gaming services in the nature of casino gaming; Leasing of casino games; Providing online non-downloadable game software -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.

Fraudulent statements may result in registration being cancelled: Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

Additional information: For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.

Checking status: To check the status of an application, go to http://tarr.uspto.gov. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tdr.uspto.gov/search.action?sn=87031669. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1553 (Rev 09/2005)

OMB No. 0651-0054 (Exp 10/31/2017)

Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

| Input Field | Entered | | |
|-------------------------------|---|--|--|
| SERIAL NUMBER | 87031669 | | |
| LAW OFFICE ASSIGNED | LAW OFFICE 112 | | |
| EXTENSION OF USE | NO | | |
| MARK SECTION | | | |
| MARK | https://tmng- al.uspto.gov/resting2/api/img/87031669/large | | |
| LITERAL ELEMENT | ARCTIC ICE | | |
| STANDARD CHARACTERS | YES | | |
| USPTO-GENERATED IMAGE | YES | | |
| MARK STATEMENT | The mark consists of standard characters, without claim to any particular font style, size or color. | | |
| OWNER SECTION | | | |
| NAME | Castle Hill Holding LLC | | |
| STREET | 1807 Seminole Trail, Suite 204 | | |
| CITY | Charlottesville | | |
| STATE | Virginia | | |
| ZIP/POSTAL CODE | 22901 | | |
| COUNTRY United States | | | |
| GOODS AND/OR SERVICES SECTION | | | |
| INTERNATIONAL CLASS | 028 | | |
| | Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines | | |

| CURRENT IDENTIFICATION | with or without video output; Gaming machines; Gaming machines featuring a device that accepts wagers; Gaming machines for gambling including slot machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely, slot machines and video lottery terminals; Gaming machines and video lottery terminals; Gaming machines, namely, electronic slot and bingo machines; Gaming machines, namely, devices which accept a wager; Machines for playing games of chance; Electronic gaming machines, namely, devices which accept a wager; Gambling machines; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Slot machines; Stand alone video output game machines | | | | |
|----------------------------|---|--|--|--|--|
| GOODS OR SERVICES | KEEP ALL LISTED | | | | |
| FIRST USE ANYWHERE DATE | 08/00/2016 | | | | |
| FIRST USE IN COMMERCE DATE | 08/00/2016 | | | | |
| SPECIMEN FILE NAME(S) | \\TICRS\EXPORT17\IMAGEOUT 17\870\316 \\87031669\xml6\\SOU0002.JPG | | | | |
| SPECIMEN DESCRIPTION | the mark directly on the goods | | | | |
| INTERNATIONAL CLASS | 041 | | | | |
| CURRENT IDENTIFICATION | Casinos; Conducting and providing facilities for casino gaming contests and tournaments; Entertainment services, namely, casino gaming; Entertainment services, namely, providing online electronic games; Gaming services in the nature of casino gaming; Leasing of casino games; Providing online non-downloadable game software | | | | |
| GOODS OR SERVICES | KEEP ALL LISTED | | | | |
| FIRST USE ANYWHERE DATE | 08/00/2016 | | | | |
| FIRST USE IN COMMERCE DATE | 08/00/2016 | | | | |
| SPECIMEN FILE NAME(S) | \\TICRS\EXPORT17\IMAGEOUT 17\870\316 \87031669\xml6\ SOU0003.JPG | | | | |
| SPECIMEN DESCRIPTION | the mark directly on the goods | | | | |
| REQUEST TO DIVIDE | NO | | | | |
| PAYMENT SECTION | | | | | |

| NUMBER OF CLASSES IN USE | 2 | |
|---|---|--|
| SUBTOTAL AMOUNT [ALLEGATION OF USE FEE] | 200 | |
| TOTAL AMOUNT | 200 | |
| SIGNATURE SECTION | | |
| DECLARATION SIGNATURE | /Melinda B. Buurma/ | |
| SIGNATORY'S NAME | Melinda B. Buurma | |
| SIGNATORY'S POSITION | Attorney of record, MI bar member | |
| DATE SIGNED | 06/13/2017 | |
| SIGNATORY'S PHONE NUMBER | 2486451483 | |
| FILING INFORMATION | | |
| SUBMIT DATE | Tue Jun 13 23:00:35 EDT 2017 | |
| TEAS STAMP | USPTO/SOU-207.174.246.19- 20170613230035878253-8703 1669-590a1aacb8390e43cb5c aa9e973c21e7446a4006e10df 6827ccf444e49197f2-DA-573 6-20170613225701532787 | |

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Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1553 (Rev 09/2005)

(15 U.S.C. Section 1051(d))

OMB No. 0651-0054 (Exp 10/31/2017)

Trademark/Service Mark Statement of Use

To the Commissioner for Trademarks:

MARK: ARCTIC ICE(Standard Characters, see https://tmng-

al.uspto.gov/resting2/api/img/87031669/large)

SERIAL NUMBER: 87031669

The applicant, Castle Hill Holding LLC, having an address of 1807 Seminole Trail, Suite 204
Charlottesville, Virginia 22901
United States

is submitting the following allegation of use information:

For International Class 028:

Current identification: Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines featuring a device that accepts wagers; Gaming machines for gambling; Gaming machines for gambling including slot machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely, slot machines and video lottery terminals; Gaming machines, namely, electronic slot and bingo machines; Gaming machines, namely, devices which accept a wager; Machines for playing games of chance; Electronic gaming machines, namely, devices which accept a wager; Gambling machines; Reconfigurable casino and lottery gaming equipment, namely, gaming machines and operational computer game software therefor sold as a unit; Reconfigurable casino gaming machines and operational game software therefor sold as a unit; Slot machines; Stand alone video output game machines

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/00/2016, and first used in commerce at least as early as 08/00/2016, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) the mark directly on the goods.

Specimen File1

For International Class 041:

Current identification: Casinos; Conducting and providing facilities for casino gaming contests and tournaments; Entertainment services, namely, casino gaming; Entertainment services, namely, providing

online electronic games; Gaming services in the nature of casino gaming; Leasing of casino games; Providing online non-downloadable game software

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/00/2016, and first used in commerce at least as early as 08/00/2016, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) the mark directly on the goods.

Specimen File1

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$200 will be submitted with the form, representing payment for the allegation of use for 2 classes.

Declaration

- The signatory believes that the applicant is the owner of the mark sought to be registered.
- For a trademark or service mark application, the mark is in use in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified.

For a collective trademark, collective service mark, collective membership mark application, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership organization in the application or notice of allowance, or as subsequently modified.

For a certification mark application, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

- The specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above

Trademark/Service Mark Statement of Use

have evidentiary support.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Melinda B. Buurma/ Date Signed: 06/13/2017

Signatory's Name: Melinda B. Buurma

Signatory's Position: Attorney of record, MI bar member

Signatory's Phone: 2486451483

RAM Sale Number: 87031669 RAM Accounting Date: 06/14/2017

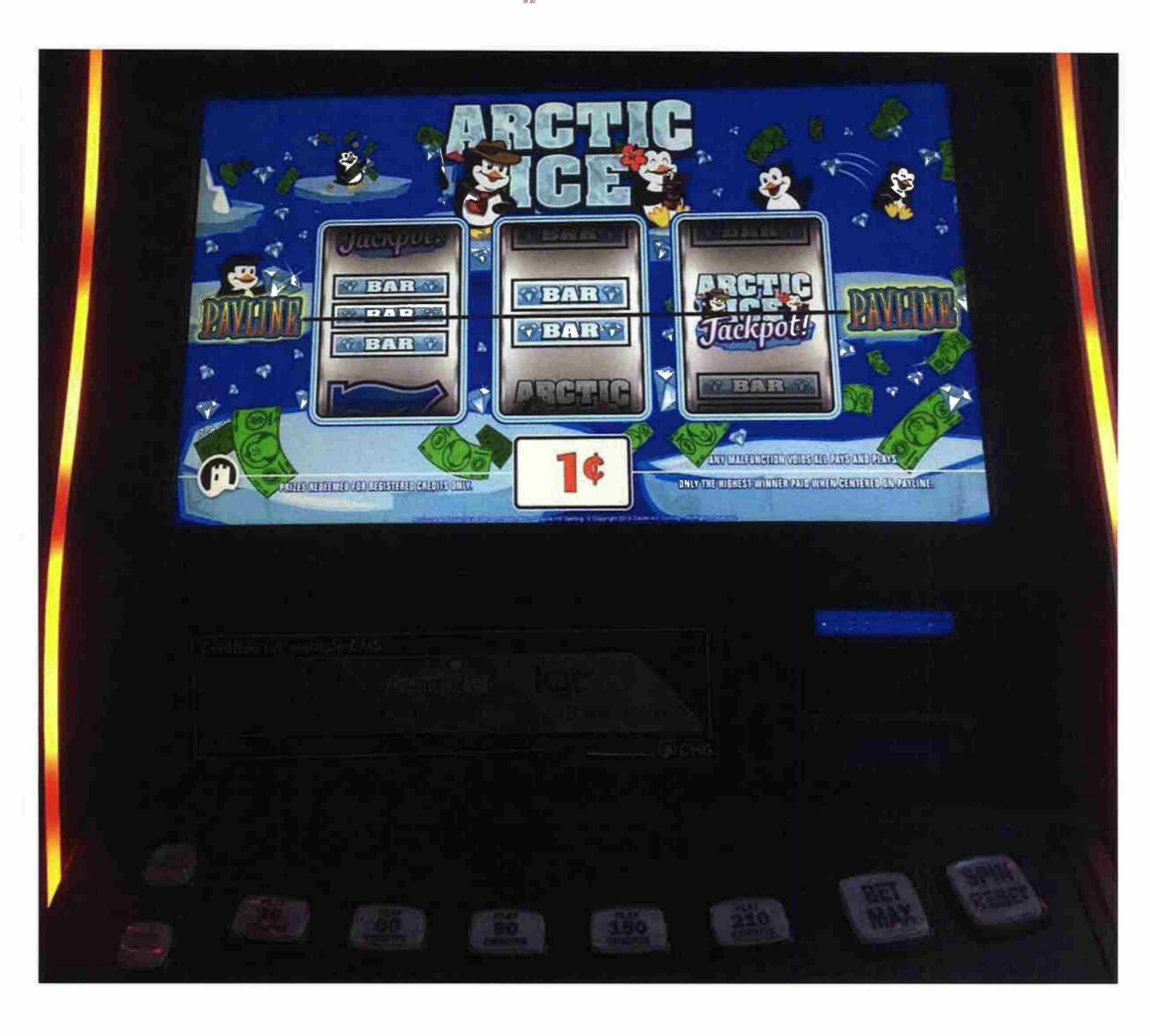
Serial Number: 87031669

Internet Transmission Date: Tue Jun 13 23:00:35 EDT 2017 TEAS Stamp: USPTO/SOU-207.174.246.19-201706132300358

78253-87031669-590a1aacb8390e43cb5caa9e9 73c21e7446a4006e10df6827ccf444e49197f2-D

A-5736-20170613225701532787

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From:

TMOfficialNotices@USPTO.GOV Wednesday, August 16, 2017 00:14 AM

Sent: To:

IPDocket@h2law.com

Subject:

Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 87031669: ARCTIC ICE:

Docket/Reference No. 68475-112

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 29 of 30

U.S. Serial Number: 87031669

Mark: ARCTIC ICE

Owner. Castle Hill Holding LLC

Docket/Reference Number: 68475-112

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to

http://tsdr.uspto.gov/#caseNumber=87031669&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tsdr.uspto.gov/#caseNumber=87031669&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at http://www.uspto.gov/trademarks/ or contact the Trademark Assistance Center at 1-800-786-9199.

Case 4:17-cv-00454-GKF-JFJ Document 189-4 Filed in USDC ND/OK on 10/13/18 Page 30 of 30

FEE RECORD SHEET

Serial Number: 87031669

RAM Sale Number: 87031669

RAM Accounting Date: 20170614

Total Fees:

\$200

| Transaction | Fee Code | Transaction <u>Date</u> | Fee per <u>Class</u> | Number of Classes | Total <u>Fee</u> |
|------------------------|-------------|-------------------------|-------------------------|----------------------|---------------------|
| Statement of Use (SOU) | 7003 | 20170613 | \$100 | 2 | \$200 |

Transaction Date: 20170613

